

AMENDED IN ASSEMBLY APRIL 14, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2713**

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**Introduced by Assembly Member Chiu  
(Coauthor: Assembly Member Mullin)**

February 19, 2016

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An act to add Section 65850.8 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2713, as amended, Chiu. Land use: local ordinances: energy systems.

Existing law, the Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities.

Existing law requires a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings. Existing law provides that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern.

This bill would, on or before September 30, 2017, for a city, county, or city and county with a population of 200,000 or more residents, or

January 31, 2018, for a city, county, or city and county with a population of less than 200,000 resident, require the city, county, or city and county to make all documentation and forms associated with the permitting of advanced energy storage, as defined, available on a publicly accessible Internet Web site, as specified. The bill would require a city, county, or city and county to allow for the electronic submittal of a permit application and associated documentation, as specified. The bill would prohibit the calculation of a fee associated with the permitting or inspection of an advanced energy storage installation from being calculated based on the value of the installation or any other factor not directly associated with the cost to issue the permit.

The bill would require the Governor's Office of Planning and Research, on or before ~~September 30, 2017~~, *January 1, 2019*, to create a California Energy Storage Permitting Guidebook, as specified.

By increasing the duties of local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 65850.8 is added to the Government  
2     Code, to read:  
3     65850.8. (a) The Legislature finds and declares both of the  
4     following:  
5     (1) It is the policy of the state to promote and encourage the  
6     installation of advanced energy storage and to limit obstacles to  
7     its use in order to increase the reliability, safety, and resilience of  
8     the state's electrical system.  
9     (2) It is further the intent of the Legislature that the applicable  
10    state agencies, including the Governor's Office of Planning and  
11    Research, extend and expand the existing initiative being conducted  
12    by the Public Utilities Commission to further note best practices  
13    in the safe permitting of advanced energy storage. That effort  
14    should ultimately produce an Advanced Energy Storage Permitting

1 Guidebook, taking advantage of the efforts and lessons learned in  
2 creating the streamlined permitting processes and modeling in part  
3 after the California Solar Permitting Guidebook.

4 (b) On or before September 30, 2017, every city, county, or city  
5 and county with a population of 200,000 or more residents, and  
6 on or before January 31, 2018, every city, county, or city and  
7 county with a population of less than 200,000 residents,

8 shall make all documentation and forms associated with the  
9 permitting of advanced energy storage available on a publicly  
10 accessible Internet Web site, if the city, county, or city and county  
11 has an Internet Web site. The city, county, or city and county shall  
12 allow for electronic submission of a permit application and  
13 associated documentation, and shall authorize the electronic  
14 signature on all forms, applications, and other documentation in  
15 lieu of a wet signature by an applicant.

16 (c) Any fee charged for the permitting or inspection of an  
17 advanced energy storage installation shall not be calculated based  
18 on the value of the installation or any other factor not directly  
19 associated with the cost to issue the permit.

20 (d) On or before ~~September 30, 2017~~, *January 1, 2019*, the  
21 Governor's Office of Planning and Research shall, in consultation  
22 with local building officials, the State Fire Marshall, the storage  
23 industry, the Public Utilities Commission, and other stakeholders,  
24 and through review of any existing streamlined permitting practices  
25 used by cities, counties, or city and counties, create a California  
26 Energy Storage Permitting Guidebook modeled substantially on  
27 the California Solar Permitting Guidebook.

28 (e) For purposes of this section, the following terms have the  
29 following meanings:

30 (1) "Advanced energy storage" means an energy storage system,  
31 as defined in Section 2835 of the Public Utilities Code, as well as  
32 an energy storage system that is designed to provide backup energy  
33 services in the event of a grid outage, that is limited to ~~either~~ *both*  
34 of the following:

35 (A) Electrochemical energy storage in nonventing packages.

36 (B) Customer sited installations.

37 (2) "Customer sited" means the system is interconnected to the  
38 electrical grid through an existing retail customer interconnection.

39 (3) "Electronic submittal" means the utilization of one or more  
40 of the following:

1 (A) Email.

2 (B) The Internet.

3 (C) Facsimile.

4 SEC. 2. No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 a local agency or school district has the authority to levy service  
7 charges, fees, or assessments sufficient to pay for the program or  
8 level of service mandated by this act, within the meaning of Section  
9 17556 of the Government Code.

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